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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,835	04/02/2004	Akira Ohmura	101985.03	8850

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EXAMINER

BOCCIO, VINCENT F

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/815,835

Applicant(s)

OHMURA ET AL.

Examiner

Vincent F. Boccio

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/2/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2616.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-2, 4, 6 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Burt et al. (US 5,649,032).

Regarding claims 1 and 9, Burt et al. in Figs. 1, 5-8, discloses and meets the limitation associated with an information processing device that converts images to image data and records the image data to a record medium (see Fig. 8, storage 812), comprising:

a selector (see col. 2, lines 45-46, A.... The mosaic .. display system permits .. a user to display, manipulate, search and alter a mosaic" & Fig. 7, mosaic editor 710" and col. 13, lines 43-48) that selects desired image data to be output to

a printing device (see image printing system 106" & col. 5, lines 3-8) from among the image data recorded in the recording medium (see col. 15, lines 6-12);

an arrangement adjuster (see col. 14, lines 13-20, A.. a user generates a display mosaic from a series of images. Once the selection of made on the computer monitor, the portion of the display mosaic in the view-port is printed.@), that adjusts an arrangement of the image data when there is image data of more than one image selected by the selector; and an output part (see Fig. 1, display system 104 to the printing system 106") that outputs the plurality of image data (mosaic) arranged by the arrangement adjuster to the printing device.

Regarding claim 2, Burt et al. further meets the limitation of providing

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an input part(user input) that inputs setting information (mosaic to be printed, type of processing to be done on a mosaic, see col. 10, lines 59-67, menu function, selection functions etc.) in order to set the printing device (see col. 1, computer workstation and keyboard, mouse and/or trackball, col. 14, lines 1-20, "a higher resolution can be to print images displayed", "... user generates a mosaic, selects ... once selected ... is printed.", therefore, the user thru a user interface can select, edit and direct desired images with settings set by the user to print images to the printer provided, see Fig. 1); an imager that images an object(see col. 4, lines 32-36, "video camera in real time"); and a recorder that records data shot by the images(see "storage 812").

Regarding claim 4, Burt et al. further meets the limitation of wherein the information processing device received and can handle image data that are,

continuous shot image data (see col. 1, lines 50-55, "real time as the images are generated", col. 4, lines 32-36, "provided in real time ... directly from ... a video camera").

Regarding claim 6, Burt et al. further meets the limitation of wherein the arrangement adjuster arranges the plurality of images (see Fig. 3, "selection process 302", alignment information and "combining process 304") and further meets the limitation of superimposing images (see Fig. 2 A-C, Fig. 7, "display mosaic 706", shows superimposed mosaic images and col. 13, lines 22-36, see foreground objects or motion foreground objects with background, constructed with a coordinate system).

Regarding claim 8, Burt et al. further meets the limitations of providing

a dividing/display part(see col. 13, lines 10-21, "**tiling the display mosaic**") that divides and displays the plurality image data selected by the selector on a display(see col. 13, lines 12-14, "These sub-mosaics can be recalled from memory, as needed, and combined with other sub-mosaics or input images to recreate any previously displayed mosaic. The alignment information for ... sub-mosaics is stored ... re-assemble or some portion thereof is simple.", therefore, the selection of images, rearrangement etc. is met by Burt et al., as disclosed); and

a designator(user=s interface, as analyzed and discussed above) that designates desired image data from among the plurality of data divided and displayed on the display device by

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the dividing/display part, wherein the output part outputs the image data designated by the designator to the printing device(see col. 14, lines 14-32, "A user generates a display mosaic from a series of images, then selects a desired portion of the mosaic to be printed ... the display mosaic in the view-port is printed", therefore, thru the user interface the user can window or divide and select in view of the view-port and selection of a desired portion and providing a display in tiled format).

Claim 10 is analyzed and discussed with respect to the claims above, but claim 10 recites additional limitations of: a recording medium on which is recorded a control program that is used in an information processing device performs the recited function of the claims above, is met by Burt et al..

Burt et al. discloses in col. 1 that systems of this type are basically a computer workstation with user interfaces such as mouse keyboard, trackball and the like, in association with software recorded to some sort of, "recording medium@, application software, in order to perform the processes discloses in col. 2, "merging, fusing, filtering, image enhancement and the like, col. 10, line 42 to col. 12, line 15, providing menu option associated with different imaging/editing functions etc. also see Figs. 4, 5, 6, 7 and 13 control steps in various methods performed with the software application {s} provided in association with the computer station and associated hardware elements etc..

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time

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any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burt et al. (US 5,649,032) in view of Rivette et al. (US 5,623,681).

Regarding claim 3, Burt et al. fails to particularly disclose wherein the setting information includes the **size** of recording paper and **printing direction**, "setting features" associated with the printing device.

Rivette et al., teaches providing selection features thru a Graphical-User-Interface or GUI for selecting paper size and paper orientation/direction (see col. 33, lines 21-30, "paper orientation and size", selections and GUI in Fig. 52, orientation selection {portrait/landscape} and paper size) as is well known in the art, as taught by Rivette et al..

Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify Burt et al. by incorporating the GUI screen allowing for setting printing parameters, such as paper size and direction/orientation etc. as taught by Rivette et al. in order to provide a means to the user to enter settings associated with the printing device of Burt et al., as taught by Rivette et al., thereby increasing the versatility and user friendly operations of the mosaic generation and printing system of Burt et al. by providing a GUI to set the printing parameters as desired by the user.

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burt et al. (US 5,649,032) in view of Narita (US 5,786,904).

Regarding claim 5, Burt et al. provides the arrangement adjuster and means for editing mosaic images as desired by the user, but fails to disclose setting information which either enlarges or reduces each of the plurality of image data and

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arranges the image data so that the plurality of image data are printed on one recording sheet.

Narita, teaches arrangement of images to one printing sheet (see abstract, "index print ... utilizing photographic paper", wherein, "the index format is selected according to a number of ... frames ... to determine index size") and controlling the size of images to fit depending upon the sheet size and number of images to be printed to fit the desired number of images to the sheet used (see col. 2, lines 50-62, Fig. 7, 8, 9 and 13), providing an advantage of the entire printing paper can be utilized effectively, by controlling the size of the images to print, based on paper size and number of images, as taught by Narita.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify Burt et al. by controlling the image size associated with the number of images to be printed and the size of the paper, as taught by Narita in order to print a plurality of images to one recording sheet by controlling the size of each image, as taught by Narita.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burt et al. (US 5,649,032) in view of Okada et al. (US 5,822,499).

Regarding claim 7, Burt et al. discloses an arrangement adjuster to arrange images in a mosaic by controlling size of each image in the mosaics created, but fails to particularly disclose the device further comprising: a changing part that changes a printing mode, wherein when the printing part is changed by the changing part, the arrangement adjuster arranges the image data so that **one image data is printed on one recording sheet.**

Okada et al. teaches in col. 1, lines 15-32, the prior art, providing a changing part that changes a printing mode (see col. 1, lines 15-32, providing commands to change the printing environment, such as "reduction/enlargement command to designate enlargement or reduction to print "a B 4 size image" on "an A 4 size sheet"), and wherein when the printing mode is changed by the changing part (user input commands provided), and meets the limitation of an arrangement adjuster that controls or arranges the image data so that one image data is printed on one recording sheet (see commands to set the vertical and horizontal margins, associated with the enlargement or reduction of the

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image, based on the paper size, set by the user), to perform the operation of controlling, arranging or setting the image data to be recorded on one recording sheet by controlling the size in association with the printing sheet, as dictated by a user, as taught by Okada et al. (prior art).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to modify Burt et al. by incorporating a user controlled changing part for changing a printing mode, such that when the printing mode is changed, in association with vertical and horizontal margins prints an image on one designated size recording sheet as taught by Okada et al. (prior art) by controlling the reduction or enlargement of the selected image to print the image selected on one sheet as dictated by the user, as taught by Okada et al. (prior art).

Contact Fax Information

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communication
intended for entry)

or:

(703) 308-5359, (for informal or draft communications,
please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal
Park II, 2121 Crystal Drive, Arlington, VA., Sixth
Floor (Receptionist).


Contact Information

Any inquiry concerning this communication or earlier
communications should be directed to the examiner of
record, Monday-Thursday, 8:00 AM to 5:00 PM Vincent F.
Boccio (703) 306-3022.

Any inquiry of a general nature or relating to the status
of this application should be directed to Customer Service
(703) 306-0377.

Primary Examiner, Boccio, Vincent

1/24/05


VINCENT BOCCIO
PRIMARY EXAMINER